

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**JERMAINE DOCKERY, et al.**

**PLAINTIFFS**

**v.**

**CIVIL ACTION NO. 3:13-cv-326-WHB-JCG**

**PELICIA HALL, et al.**

**DEFENDANTS**

**ORDER CLARIFYING [786] ORDER GRANTING PLAINTIFFS'  
EMERGENCY MOTION TO COMPEL EXPERT TOURS AND ACCESS TO  
DOCUMENTATION DURING EXPERT TOURS**

This matter is before the Court *sua sponte* to clarify the Court's Order Granting Plaintiffs' Emergency Motion to Compel Expert Tours and Access to Documentation During Expert Tours. (ECF No. 786). The parties represented to the Court at the September 20, 2018, settlement conference that the parties reached an agreement regarding "settlement discovery." The Court's Order Granting Plaintiffs' Emergency Motion to Compel Expert Tours and Access to Documentation During Expert Tours (ECF No. 786) was intended to control "settlement discovery" and enforce the parties' purported agreement. The Order should not be read as requiring the production of documents that were not identified in the parties' settlement discovery agreement. In other words, the Order does not govern any discovery in furtherance of Judge Barbour's August 24, 2018, Opinion and Order (ECF No. 767).

If the parties' representation of an agreement as to settlement discovery was in error, then the Court's Order Granting Plaintiffs' Emergency Motion to Compel Expert Tours and Access to Documentation During Expert Tours (ECF No. 786) is moot. If that is the case, should the parties deem discovery necessary in furtherance

of Judge Barbour's August 24, 2018, Opinion and Order (ECF No. 767), any discovery motions shall be filed no later than close of business on October 22, 2018, with responses due no later than close of business on October 24, 2018, and replies due by 12:00 p.m. on October 26, 2018. Judge Barbour's deadlines with respect to supplemental expert reports remain unchanged.

**SO ORDERED**, this the 18th day of October, 2018.

*s/ John C. Gargiulo*

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JOHN C. GARGIULO  
UNITED STATES MAGISTRATE JUDGE